

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**

R E M A R K S

The holding in the Advisory Action of December 4, 2003, is based on a lack of "showing that the claimed limitations meet the conditions of being suitable intrinsic properties". According to "Webster's New World Dictionary", third college edition, page 708 (copy herewith), 1989, "intrinsic" is defined as follows:

belonging to the real nature of a thing; not dependent on external
circumstances; essential; inherent

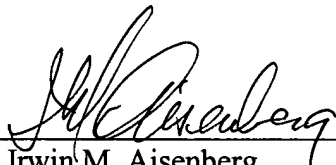
Based on this definition, please find herewith a further Declaration by one of the inventors, confirming the intrinsic nature of the properties clearly and unquestionably set forth in Applicants' claim 1. The intrinsic properties of a microorganism do not include "molecular weight, density, spectral properties"; they involve other characteristics which distinguish them from all other known microorganisms within the defined species.

Entry and consideration of the accompanying Declaration is respectfully requested.

Having overcome all outstanding issues, the subject application is now in condition for allowance, and early action toward that end is requested.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: 
Irwin M. Aisenberg
Registration No. 19,007

Date: January 27, 2004
(202) 638-6666
400 Seventh Street, N. W.
Washington, D. C. 20004
IMA/ccm
Atty. Dkt. No.: P66143US1

R:\Home\SHARED\P66143US1.PTO.wpd

